

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

AMBROSIO & SIROIS VENTURE )  
PARTNERS LP, SERIES I, et al., )  
Plaintiffs, )  
v. ) Case No. 4:02CV00725 HEA  
MARIAN BASS SECURITIES )  
CORPORATION, et al., )  
Defendants. )

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**PLAINTIFFS' MOTION TO WITHDRAW PREVIOUS DISMISSAL ORDER  
AND ENTER REVISED ORDER OF DISMISSAL FOR DEFENDANT SEAN HENRY**

Come now plaintiffs, by counsel, and for their motion to withdraw previous dismissal order and enter revised order of dismissal for defendant Sean Henry, state as follows:

1. On March 29, 2004, the Court issued an order to, within fourteen days of the date of the order, "file appropriate motions for entry of default and default judgment . . ." against defendants Sean Henry and Robert Lewis, in the above-styled cause.
2. In partial response to this order, plaintiffs filed a proposed order to dismiss with prejudice as to defendant Sean Henry only, on March 22, 2004. This followed a series of settlement negotiations between plaintiffs and Henry's lawyer.
3. On Monday, March 28, 2004, plaintiffs' counsel was contacted by Thomas H. Ullmann, the attorney for Sean Henry. Mr. Ullmann advised counsel that he desired to add some additional language to the proposed order of dismissal to insure that his client was protected against future claims for contribution from other defendants in this action.
4. Accordingly, plaintiffs prepared the amended order and were in the process of

attempting to file same with the Court when it was learned that the Court had signed the original dismissal order on March 30, 2004.

5. The ends of justice will be served by the Court withdrawing the previous dismissal order and executing the revised dismissal order that plaintiffs and defendant Henry are presenting to the Court, together with this motion.

WHEREFORE, plaintiffs pray for an order withdrawing the Court's order of March 30, 2004, *nunc pro tunc*, and to replace same with the new order as amended.

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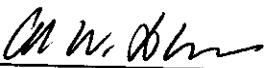
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Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this the 1<sup>st</sup> day of April, 2004 a copy of the above was served via First Class U.S. Mail, postage prepaid, upon defendant Robert Lewis, 7105 Marcel Lane, Apt. 528, Charlotte, North Carolina 28226; Attorney for Defendant Sean Henry, Thomas H. Ullmann, 4210 Old Highway 94 South, St. Charles, Missouri 63304; and Marion Bass, 4104-B Bannockburn Place, Charlotte, NC 28211.

  
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Al W. Johnson